

and misbranded. The article was labeled in part: (Bottles) "Old Valley Brand Cider Vinegar Reduced with water to 45 grain."

It was alleged that the article was adulterated (1) in that artificially colored, dilute acetic acid or distilled vinegar had been substituted wholly or in part for cider vinegar reduced with water to 45 grains; (2) in that its inferiority had been concealed by the use of artificial color; and (3) in that acetic acid or distilled vinegar and artificial color had been added to it or mixed or packed with it so as to reduce its quality or strength, or make it appear better or of greater value than it was.

The article was alleged to be misbranded (1) in that the statement "Cider Vinegar Reduced with water to 45 grain," appearing on the label, was false and misleading as applied to an artificially colored mixture of cider vinegar with dilute acetic acid or distilled vinegar; (2) in that it was offered for sale under the name of another food; and (3) in that it contained artificial coloring and failed to bear labeling stating that fact.

On February 13, 1943, the Orchard Products Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling. Subsequently, on February 20, 1943, the Orchard Products Co., having paid the costs of the action and having consented thereto, the product was ordered delivered to a Federal institution.

4820. Misbranding of mincemeat. U. S. v. 38 Cases of Mincemeat. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 9274. Sample No. 22635-F.)

This product was short weight.

On February 2, 1943, the United States attorney for the Middle District of Pennsylvania filed a libel against 38 cases, each containing 12 jars, of mincemeat, at York, Pa., alleging that the article had been shipped in interstate commerce on or about January 4, 1943, by the Wood's Mince Meat Co. from Baltimore, Md.; and charging that it was misbranded. The article was labeled in part: (Jar) "Maryland Brand Mince Meat * * * Net Weight 2 Lb."

The article was alleged to be misbranded in that the statement "Net Weight 2 Lb.," appearing on the label, was false and misleading as applied to an article that was short-weight, and in that it was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

On April 26, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

CANNED VEGETABLES

4821. Adulteration of red kidney beans. U. S. v. 500 Bags of Red Kidney Beans. Decree of condemnation. Product ordered released under bond conditioned that it should not be disposed of for human consumption. (F. D. C. No. 9314. Sample No. 23225-F.)

This product contained weevils.

On February 4, 1943, the United States attorney for the Eastern District of Pennsylvania filed a libel against 500 100-pound bags of red kidney beans at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about July 30, 1942, by Benjamin Girks from Lyons, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Cockerel Brand * * * Red Kidney Beans Packed By Vanderveer and Coleman Inc. Lyons, N. Y."

On February 18, 1943, the Tidewater Grain Co. of Philadelphia, Pa., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond conditioned in part that it should not be disposed of for human consumption. It was ground and used for animal feeding purposes.

4822. Adulteration of canned cut beets. U. S. v. 31 Cases of Canned Cut Beets. Default decree of condemnation and destruction. (F. D. C. No. 9318. Sample No. 37903-F.)

On February 12, 1943, the United States attorney for the Northern District of Illinois filed a libel against 31 cases, each containing 24 cans, of cut beets at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about August 31, 1942, by the Alton Canning Co., Inc., from Alton, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On April 8, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.